NORTH CAROLINA BOARD OF HIGHER EDUCATION ACT

Texts as Recommended, as Enacted, and as Amended

1955 - 1961

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The Governor's Commission on Education

Beyond the High School

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NORTH CAROLINA BOARD OF HIGHER EDUCATION ACT

Texts as Recommended, as Enacted, and as Amended

1955 - 1961

Prepared for

The Governor's Commission on Education

Beyond the High School

by

John L. Sanders

Secretary to the Commission

1961

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NORTH CAROLINA BOARD OF HIGHER EDUCATION ACT

Texts as Recommended, as Enacted, and as Amended

1955 - 1961

Text as Recommended by Commission on Higher Education, 1955	Text as Enacted by General Assembly of 1955 (Session Laws 1955, c. 1186)	Text as Amended by General Assembly of 1959 (Session Laws 1959, c. 326)
(Report of the Commission)	(General Statutes)	(General Statutes)
AN ACT CREATING A STATE BOARD OF HIGHER EDUCATION AND PROVIDING FOR ITS MEMBERS, THEIR QUALIFICATIONS, SELECTION, APPOINTMENT, POWERS, DUTIES AND FINANCING.		
The General Assembly of North Carolina do enact:	ARTICLE 16. State Board of Higher Education.	ARTICLE 16. State Board of Higher Education.
Section 1. There is hereby created a State Board of Higher Education (hereinafter referred to as "The Board") whose function shall be, notwithstanding any conflicting provisions of Article 1, Chapter 143 of the General Statutes, to coordinate, as hereinafter provided, the functions and financing of all institutions of higher education now existing or hereafter created supported wholly or in part by direct legislative	§ 116-154. Creation and purpose.--There is hereby created the North Carolina Board of Higher Education. The purpose of the Board shall be, through the exercise of the powers and performance of the duties set forth in this article, to promote the development and operation of a sound, vigorous, progressive, and coordinated system of higher education in the State of North Carolina. (1955, c. 1186, s. 1.)	§ 116-154. Creation and purpose.--There is hereby created the North Carolina Board of Higher Education. The purpose of the Board shall be, through the exercise of the powers and performance of the duties set forth in this article, to plan and promote the development of a sound, vigorous, progressive and coordinated system of higher education in the State of North Carolina. In pursuit of this objective the Board will seek the

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(Sec. 1, cont'd.) appropriations.		(§ 116-154, cont'd.) cooperation of all the institutions of higher education and of other educational agencies in planning a system of higher education that will serve all the higher educational needs of the State and that will encourage a high standard of excellence in all institutions composing the system, each operating under the direction of its own board of trustees in the performance of the functions assigned to it. (1955, c. 1186, s. 1; 1959, c. 326, s. 1.)
Sec. 11. "Higher education" as the term is used in this Act is defined to include all education beyond the twelfth grade, or its equivalent.	§ 116-155. Definitions.--As used herein: "Board" refers to the North Carolina Board of Higher Education. "Higher education" refers to all educational and instructional curricula and services beyond the twelfth grade or its equivalent.	§ 116-155. Definitions.-- As used herein: "Board" refers to the North Carolina Board of Higher Education. "Higher education" refers to all educational and instructional curricula and services beyond the twelfth grade or its equivalent.

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	(§ 116-155, cont'd.) "Institutions of higher education" and "such institutions" refer to all institutions of higher education now existing or hereafter established supported wholly or in part by direct appropriations of the North Carolina General Assembly. (1955, c. 1186, s. 2.)	(§ 116-155, cont'd.) "Institutions of higher education" and "such institutions" refer to all institutions of higher education now existing or hereafter established supported wholly or in part by direct appropriations of the North Carolina General Assembly. (1955, c. 1186, s. 2.)
Sec. 2. The Board shall consist of nine (9) members, who shall be citizens of of the State and not officers, employees, or trustees of any of the institutions of higher education specified in Section 1, nor shall any official or employee of the State of North Carolina be eligible for such service while holding such other office or employment. The members shall be appointed by the Governor and confirmed by both House and Senate in joint session. Of the nine (9) members, not more than two (2)	§ 116-156. Membership; appointment, term and qualifications; vacancies.--The Board shall consist of nine citizens of North Carolina, one of whom shall be a member of the State Board of Education but none of whom shall be officers or employees of the State nor officers, employees or trustees of such institutions. Members shall be appointed by the Governor for terms of eight years, except that of the first Board appointed, two members shall serve for two years, two shall serve for	§ 116-156. Membership; appointment, term and qualifications; vacancies.--The Board shall consist of nine citizens of North Carolina, one of whom shall be a member of the State Board of Education but none of whom shall be officers or employees of the State nor officers, employees or trustees of such institutions. Members shall be appointed by the Governor for terms of eight years, except that of the first Board appointed, two members shall serve for two years, two shall serve for

Text as Recommended, 1955

(Sec. 2, cont'd.)

graduates or former students of any one of the said institutions of higher education shall be eligible to serve as members at the same time, the three units of the University of North Carolina being considered three separate institutions for this purpose. In the selection of the members of the State Board of Higher Education, the Governor shall give due consideration to the geographical location of the various members, and in no event shall more than two of the members serving at the same time be from the same congressional district. The Governor shall appoint the said members for terms of office as follows: three (3) members to serve for two (2) years, three (3) members to serve for four (4) years, and three (3) members to serve for six (6) years. The nine members of the first Board shall be appointed for

Text as Enacted, 1955

(§ 116-156, cont'd.)

four years, and two shall serve for six years and three shall serve for eight years. Terms of all members of the first Board shall commence July 1, 1955.

All regular appointments, except appointments to the first Board, shall be subject to confirmation by the House of Representatives and the Senate in joint session assembled. The Governor shall forward all such appointments, except those of the first Board, to the General Assembly before the fortieth legislative day of each regular session. The Governor shall, without such confirmation, appoint members to fill vacancies for unexpired terms.

Appointees to the Board shall be selected for their interest in and ability to contribute to the fulfilment of the purpose of the Board. All members of the Board

Text as Amended, 1959

(§ 116-156, cont'd.)

four years, and two shall serve for six years and three shall serve for eight years. Terms of all members of the first Board shall commence July 1, 1955.

All regular appointments, except appointments to the first Board, shall be subject to confirmation by the House of Representatives and the Senate in joint session assembled. The Governor shall forward all such appointments, except those of the first Board, to the General Assembly before the fortieth legislative day of each regular session. The Governor shall, without such confirmation, appoint members to fill vacancies for unexpired terms.

Appointees to the Board shall be selected for their interest in and ability to contribute to the fulfilment of the purpose of the Board. All members of the Board

Text as Recommended, 1955	Text as Enacted, 1955	Text as Amended, 1959
(Sec. 2, cont'd.) terms beginning July 1, 1955. Any appointment to fill a vacancy shall be for the balance of the term only. Except as above designated, the term of office of said members shall be six (6) years or until their successors are appointed and qualified. The members of the Board shall be deemed commissioners of public charities within the meaning of the proviso to Section 7 of Article XIV of the Constitution of North Carolina.	(§ 116-156, cont'd.) shall be deemed members at large charged with the responsibility of serving the best interests of the whole State. No member shall act as the representative of any particular region or of any particular institution of higher education. (1955, c. 1186, s. 3.)	(§ 116-156, cont'd.) shall be deemed members at large charged with the responsibility of serving the best interests of the whole State. No member shall act as the representative of any particular region or of any particular institution of higher education. (1955, c. 1186, s. 3.)
Sec. 3. The Board shall elect from among its members a chairman, a vice-chairman, and a secretary. Such officers shall be elected annually and at such other times as may be necessary to fill any vacancy in any of said offices.	§ 116-157. Chairman, vice-chairman and secretary.--The Board shall elect annually from among its members a chairman, vice-chairman, and a secretary. (1955, c. 1186, s. 4.)	§ 116-157. Chairman, vice-chairman and secretary.--The Board shall elect annually from among its members a chairman, vice-chairman, and a secretary. (1955, c. 1186, s. 4.)

Text as Recommended, 1955	Text as Enacted, 1955	Text as Amended, 1959
Sec. 4. The Board shall constitute a coordinating board for all State institutions specified in Section 1 hereof, and shall have only the following specific powers:	§ 116-158. Powers and duties generally.--The Board shall have the following specific powers and duties, in the exercise and performance of which it shall be subject to the provisions of article I, chapter 143 of the General Statutes except as herein otherwise provided:	§ 116-158. Powers and duties generally.--The Board shall have the following specific powers and duties, in the exercise and performance of which it shall be subject to the provisions of article 1, chapter 143 of the General Statutes except as herein otherwise provided:
(a) It shall determine the general functions and activities of each of such institutions, all such functions and activities remaining as they now are until changed with the approval or by the order of the Board.	(a) The Board shall determine the major functions and activities of each of such institutions, all such functions and activities remaining as they now are until changed with the approval or by order of the Board. In discharging this duty, the Board shall consider the purpose for which an institution was established, the provisions of its charter, its existing functions and activities, the need for the function or activity in question in that particular institution, and the extent to which such need is already being met by	(1) The Board shall allot the major functions and activities of each of such institutions, all such functions and activities remaining as they now are until changed with the approval or by action of the Board. In discharging this duty, the Board shall consider the purpose for which an institution was established, the provisions of its charter, its existing functions and activities, the need for the function or activity in question in that particular institution, and the extent to which such need is already being met by

Text as Recommended, 1955	Text as Enacted, 1955	Text as Amended, 1959
	(§ 116-158, cont'd.)	(§ 116-158, cont'd.)
	other institutions. Further, the Board shall take into consideration the need to promote educational methods and standards for the training of persons for the teaching profession to the end that the entire field of public education will be best served.	other institutions. Further, the Board shall take into consideration the need to promote educational methods and standards for the training of persons for the teaching profession to the end that the entire field of public education will be best served.
(b) It shall determine what types of degrees may be granted by each of such institutions.	(b) The Board shall determine the types of degrees which may be granted by each of such institutions.	(2) The Board shall determine the types of degrees which may be granted of [sic] each of such institutions.
(c) It shall make at least one inspection of the facilities of each such institution each biennium.	(c) The Board shall inspect each such institution at least once biennially, and shall make or cause to be made such other inspections as it shall deem necessary.	(3) The Board shall inspect each such institution at least once biennially, and shall make or cause to be made such other inspections as it shall deem necessary.
(j) It shall prescribe uniform practices and policies to be followed by such institutions.	(d) The Board shall prescribe uniform practices and policies to be followed by such institutions where it finds such uniformity will promote the purpose of the Board.	(4) The board shall prescribe uniform statistical reporting practices and policies to be followed by such institutions where it finds such uniformity will promote the purpose of the Board.

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(Sec. 4, cont'd.)	(§ 116-158, cont'd.)	(§ 116-158, cont'd.)
(k) It shall make plans for the development of a system of higher education and shall have the power to require such institutions to conform to such plans.	(e) The Board shall make plans for the development of a system of higher education and shall have the power to require such institutions to conform to such plans.	(5) All institutions included in the State System of Higher Education shall conform to the educational functions and activities assigned to them respectively: Provided, that the Board shall not require any institution to abandon or discontinue any existing educational functions or activities, if, after notice and hearing, the institution is not in agreement with the decision of the Board, until such decision is first recommended to and approved by the General Assembly.
(d) In the even numbered years, it shall recommend to the Director of the Budget and the Advisory Budget Commission the proposed budget expenditures for each of such institutions, copies of the requests, statements, information, data, and estimates specified in G. S. 143-6 being furnished	(f) The Board shall recommend to the Director of the Budget and the Advisory Budget Commission the biennial budget expenditures for each of such institutions. Copies of the requests, statements, information, data, and estimates specified in G. S. 143-6 shall be furnished by such	(6) The Board shall review and appraise the biennial budget requests of all institutions and shall make its recommendations with respect to such requests to the Director of the Budget and the Advisory Budget Commission. Upon the request of the Board each

Text as Recommended, 1955	Text as Enacted, 1955	Text as Amended, 1959
(Sec. 4, cont'd.)	(§ 116-158, cont'd.)	(§ 116-158, cont'd.)
to the Board as well as the Director of the Budget. The Board shall provide hearings on the budget requests for such institutions prior to the hearings before the Advisory Budget Commission provided in G. S. 143-10. The recommended budget expenditures shall be accompanied by supporting data relied upon by the Board.	institutions to the Board as well as the Director of the Budget. The Board shall provide hearings on the budget requests for such institutions prior to the hearings before the Advisory Budget Commission provided in G. S. 143-10. The recommended budget expenditures transmitted to the Director of the Budget and the Advisory Budget Commission shall be accompanied by supporting data relied upon by the Board. Each such institution shall at the same time be sent a copy of the budget expenditures recommended for it by the Board.	institution shall furnish the Board with a copy of its biennial budget request and related statements, information, date [sic] and estimates specified in G. S. 143-6 at a time designated by the Board so that the Board may review and appraise such requests prior to the hearings before the Advisory Budget Commission provided in G. S. 143-10. The Board's recommended budget expenditures transmitted to the Director of the Budget and the Advisory Budget Commission shall be accompanied by supporting data relied upon by the Board and the Board shall advise the Commission as to whether the budget requests made by each institution are consistent with the primary purposes of the institution and with the functions allocated to the institution by statute or by the Board, and if an institution's
(e) It shall be represented at all hearings concerning the budgets of such institutions and shall present its findings and conclusions orally at the hearings before the Advisory Budget Commission provided in G. S. 143-10. Nothing herein shall	The Board shall be represented at all public hearings concerning the budgets of such institutions and shall present its findings and conclusions at the hearings before the Advisory Budget Commission as provided in G. S. 143-10. Nothing herein	

Text as Recommended, 1955	Text as Enacted, 1955	Text as Amended, 1959
(Sec. 4, cont'd.) be construed to limit such institutions from being represented at such hearings by their own officers.	(§ 116-158, cont'd.) shall preclude officers of such institutions from appearing at said public hearings and being heard as representatives of their respective institutions.	(§ 116-158, cont'd.) requests are deemed inconsistent, the institution shall be so advised.
(f) In the odd numbered years, it shall recommend to the Director of the Budget the proposed budget expenditures for each of such institutions, copies of the forms setting forth such budget requirements as specified in G. S. 143-30 being furnished to the Board as well as the Director of the Budget. The recommended budget expenditures shall be accompanied by supporting data relied upon by the Board.	[None]	[None]
(g) It shall receive from each of such institutions not less than thirty days before the beginning of each quarter of each fiscal year the quarterly requisitions	[None]	[None]

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(Sec. 4, cont'd.)	(§ 116-158, cont'd.)	(§ 116-158, cont'd.)
of allotments from appropriations now submitted to the Director of the Budget in accordance with G. S. 143-17. It shall approve such allotments, or such modifications of them as it may deem necessary to make, and shall submit the same to the Director of the Budget not less than twenty days before the beginning of each quarter for his approval. It is intended that final decisions on educational matters be made by the Board, and that decisions on fiscal matters be made by the Board subject to the approval of the Director of the Budget.		
(h) In the event of a reduction of appropriations by the Director of the Budget in order to prevent an overdraft or deficit under the provisions of G. S. 143-25, the amount of the reduction for	(g) The Board, in the event of a reduction of appropriations by the Director of the Budget in order to prevent an overdraft or deficit under the provisions of G. S. 143-25, shall, after consulting the	(7) The Board, in the event of a reduction of appropriations by the Director of the Budget in order to prevent an overdraft or deficit under the provisions of G. S. 143-25, shall, upon the request of

Text as Recommended, 1955

(Sec. 4, cont'd.)

each institution shall be certified to the Board by the Director of the Budget. The Board, after consulting the officers of each institution for their recommendations, shall then adopt a revised budget for each such institution, which budget shall be within the reduced appropriation for each such institution. Copies of the revised budgets shall be supplied to the Director of the Budget.

(i) It shall have the power to grant approval of requests from each of such institutions for transfers and changes as between objects and items in the budget or quarterly allotment of the institution making the request, subject to the approval of the Director of the Budget.

Text as Enacted, 1955

(§ 116-158, cont'd.)

officers of each institution for their recommendations, adopt a revised budget for each such institution. The total amount of the reduction for each institution shall be certified to the Board by the Director of the Budget. The revised budget shall be within the reduced appropriation for each such institution. Copies of the revised budgets shall be supplied to the Director of the Budget and such institutions.

(h) The Board shall have the power to make decisions concerning requests from each of such institutions for transfers and changes as between objects and items in the budget of the institution making the request, subject to the approval of the Director of the Budget as set forth in G. S. 116-159. Copies of such requests and supporting data shall be furnished by such

Text as Amended, 1959

(§ 116-158, cont'd.)

the Director of the Budget, after consulting the president of each institution recommend a revised budget for each such institution.

(8) Any requests of an institution for transfers and changes as between objects and items in the approved budget of such institution and involving the establishment of new educational functions or activities shall first be submitted to the Board of Higher Education for approval before being presented to the Director of the Budget.

Text as Recommended, 1955	Text as Enacted, 1955	Text as Amended, 1959
(Sec. 4, cont'd.)	(§ 116-158, cont'd.) institutions to the Board as well as to the Director of the Budget. The Board shall promptly notify the Director of the Budget of decisions made under the authority of this subsection.	(§ 116-158, cont'd.)
(1) It shall possess such other and further powers as are necessary and proper for the exercise of the foregoing specific powers, including the power to make and enforce such rules and regulations as may be necessary for effectuating the provisions of this Act.	(i) The Board shall possess such powers as are necessary and proper for the exercise of the foregoing specific powers, including the power to make and enforce such rules and regulations as may be necessary for effectuating the provisions of this article. (1955, c. 1186, s. 5.)	(9) The Board shall possess such powers as are necessary and proper for the exercise of the foregoing specific powers, including the power to make and enforce such rules and regulations as may be necessary for effectuating the provisions of this article. (1955, c. 1186, s. 5; 1959, c. 326, ss. 2-7.)
[Compare Sec. 4(g), last sentence, above.]	§ 116-159. Board's decisions subject to approval by Director of the Budget; limited by appropriations.--In the exercise of the powers conferred on the Board, it is intended that its decisions on fiscal	§ 116-159. Board's decisions subject to approval by Director of the Budget; limited by appropriations.--In the exercise of the powers conferred on the Board, it is intended that its decisions on fiscal

Text as Recommended, 1955	Text as Enacted, 1955	Text as Amended, 1959
	(§ 116-159, cont'd.) matters concerning such institutions shall be subject to the approval of the Director of the Budget, and its decisions of an educational nature shall be made by the Board within the limits of appropriated funds and fiscal availability. (1955, c. 1186, s. 6.)	(§ 116-159, cont'd.) matters concerning such institutions shall be subject to the approval of the Director of the Budget, and its decisions of an educational nature shall be made by the Board within the limits of appropriated funds and fiscal availability. (1955, c. 1186, s. 6.)
[None]	§ 116-160. Hearings concerning proposed action.--Before final action is taken by the Board in the exercise of powers conferred by subsections (a), (b), (d), and (e) of § 116-158, the presidents and chancellors of such institutions to be affected, together with such other persons as they may desire, shall be granted an opportunity to be heard by the Board concerning the proposed action. (1955, c. 1186, s. 7.)	§ 116-160. Hearings concerning proposed action.--Before final action is taken by the Board in the exercise of powers conferred by subdivisions (1), (2), (4), (5) and (6) of § 116-158, the presidents and such person as they may designate shall be granted an opportunity to be heard by the Board concerning the proposed action. (1955, c. 1186, s. 7; 1959, c. 326, s. 8.)

Text as Recommended, 1955	Text as Enacted, 1955	Text as Amended, 1959
[None]	§ 116-161. Certain powers of Board of Education vested in Board of Higher Education.--All powers and functions of the State Board of Education concerning higher education and institutions of higher education, except for necessary collaboration with institutions of higher education in the training and certification of public school teachers and principals, shall be vested herewith in the North Carolina Board of Higher Education. (1955, c. 1186, s. 8.)	§ 116-161. Certain powers of Board of Education vested in Board of Higher Education.--All powers and functions of the State Board of Education concerning higher education and institutions of higher education, except for necessary collaboration with institutions of higher education in the training and certification of public school teachers and principals, shall be vested herewith in the North Carolina Board of Higher Education. (1955, c. 1186, s. 8.)
Sec. 5. The Board shall prepare and publish biennially a report to the Governor, the General Assembly, and such institutions setting forth the progress, needs, and recommendations of the Board.	§ 116-162. Biennial reports.--The Board shall prepare and publish biennially a report to the Governor, the General Assembly, and such institutions setting forth the progress, needs and recommendations of the Board. (1955, c. 1186, s. 9.)	§ 116-162. Biennial reports.--The Board shall prepare and publish biennially a report to the Governor, the General Assembly, and such institutions setting forth the progress, needs and recommendations of the Board. (1955, c. 1186, s. 9.)
Sec. 6. In order to effectuate the provisions of this Act, the Board shall be	§ 116-163. Office space; Director of Higher Education; other employees; review	§ 116-163. Office space; Director of Higher Education; other employees; review

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(Sec. 6, cont'd.)	(§ 116-163, cont'd.)	(§ 116-163, cont'd.)
furnished suitable quarters in Raleigh. It shall, subject to the approval of the Governor, appoint and fix the salary of a full-time Executive Secretary. The Executive Secretary shall have training and experience in the field of higher education. It shall, within the limits of funds provided by law, appoint such other employees as shall be sufficient to carry out the provisions of this Act, such employees being subject to the provisions of Article 2, Chapter 143 of the General Statutes.	of decisions of Director.--In order to effectuate the provisions of this article, the Board shall be furnished suitable quarters in Raleigh, and shall, subject to the approval of the Governor, appoint and fix the salary of a full-time Director of Higher Education. The Director of Higher Education shall have training and experience in the field of higher education and shall be well qualified to serve as the Director of a State System of Higher Education as contemplated by this article. The Director of Higher Education shall be responsible to the Board and shall perform such duties and exercise such powers as shall be prescribed by the Board. The Board shall,	of decisions of Director.--In order to effectuate the provisions of this article, the Board shall be furnished suitable quarters in Raleigh, and shall, subject to the approval of the Governor, appoint a full-time Director of Higher Education. The salary of the Director of Higher Education shall be fixed by the Governor subject to the approval of the Advisory Budget Commission. The Director of Higher Education shall have training and experience in the field of higher education and shall be well qualified to serve as the Director of a State System of Higher Education as contemplated by this article. The Director of Higher Education shall be responsible to the Board and shall perform such duties and exercise such powers as shall be prescribed by the Board. The Board shall,

Text as Recommended, 1955	Text as Enacted, 1955	Text as Amended, 1959
	(§ 116-163, cont'd.) within the limits of funds provided by law, appoint such other employees as shall be sufficient to carry out the provisions of this article, such employees being subject to the provisions of article 2, chapter 143 of the General Statutes. Any institution aggrieved by any action or decision of the Director of Higher Education shall, upon request, be afforded an opportunity to be heard by the Board with respect thereto. (1955, c. 1186, s. 10.)	(§ 116-163, cont'd.) within the limits of funds provided by law, appoint such other employees as shall be sufficient to carry out the provisions of this article, such employees being subject to the provisions of article 2, chapter 143 of the General Statutes. Any institution aggrieved by any action or decision of the Director of Higher Education shall, upon request, be afforded an opportunity to be heard by the Board with respect thereto. (1955, c. 1186, s. 10; 1957, c. 541, s. 21.) [Note: Prior to 1957, the salary of the Director was fixed by the Board of Higher Education, subject to the approval of the Governor. Session Laws 1957, c. 541, s. 21, amended this section to provide that the salary of the Director shall be fixed by the Governor, subject to the approval of the Advisory Budget Commission.]

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Sec. 7. Members of the Board shall receive no compensation for their services other than such per diem allowances and such allowance for travel expenses as shall be provided by law.	§ 116-164. Compensation and expenses of members.--Members of the Board shall receive no compensation for their services other than such per diem allowances and such allowance for travel expenses as shall be provided in each biennial Appropriation Act for such members. (1955, c. 1186, s. 11.)	§ 116-164. Compensation and expenses of members.--Members of the Board shall receive no compensation for their services other than such per diem allowances and such allowance for travel expenses as shall be provided in each biennial Appropriation Act for such members. (1955, c. 1186, s. 11.)
Sec. 8. The necessary expenditures of the Board shall be provided for in a budget subject to the terms of Article 1, Chapter 143 of the General Statutes.	§ 116-165. Necessary expenditures to be provided for in budget.--The necessary expenditures of the Board shall be provided for in a budget subject to the terms of article 1, chapter 143 of the General Statutes. (1955, c. 1186, s. 12.)	§ 116-165. Necessary expenditures to be provided for in budget.--The necessary expenditures of the Board shall be provided for in a budget subject to the terms of article 1, chapter 143 of the General Statutes. (1955, c. 1186, s. 12.)
Sec. 9. No member or employee of the Board shall make any recommendation concerning the employment of any person by any of such institutions.	§ 116-166. Recommendations concerning employment of persons by institutions prohibited.--No member or employee of the Board shall make any recommendation concerning the	§ 116-166. Recommendations concerning employment of persons by institutions prohibited.--No member or employee of the board shall make any recommendation concerning the

Text as Recommended, 1955	Text as Enacted, 1955	Text as Amended, 1959
	(§ 116-166, cont'd.) prospective employment of any person by any of such institutions. (1955, c. 1186, s. 13.)	(§ 116-166, cont'd.) prospective employment of any person by any of such institutions. (1955, c. 1186, s. 13.)
Sec. 10. Except as otherwise provided in this Act, the various boards of trustees of the institutions of higher education specified in Section 1 shall continue to exercise the control over such institutions as is provided by law.	§ 116-167. Control over institutions by boards of trustees.--The various boards of trustees of the institutions of higher education shall continue to exercise such control over the institutions as is provided by law, subject only to the North Carolina Board of Higher Education within the limits of its jurisdiction as herein specified. It is not intended that the trustees of such institutions shall be divested of any powers or initiative now existing with reference to the internal affairs of such institutions, except to the extent that same are affected by the Board's exercise of the powers and	§ 116-167. Control over institutions by boards of trustees.--The various boards of trustees of the institutions of higher education shall continue to exercise such control over the institutions as is provided by law, subject only to the North Carolina Board of Higher Education within the limits of its jurisdiction as herein specified. It is not intended that the trustees of such institutions shall be divested of any powers or initiative now existing with reference to the internal affairs of such institutions, except to the extent that same are affected by the Board's exercise of the powers and

Text as Recommended, 1955	Text as Enacted, 1955	Text as Amended, 1959
	(§ 116-167, cont'd.) performance of the duties specified in this article. (1955, c. 1186, s. 14.)	(§ 116-167, cont'd.) performance of the duties specified in this article. (1955, c. 1186, s. 14.)
	(Session Laws 1955, c. 1186)	
Sec. 12. If a court of competent jurisdiction shall adjudge to be invalid or unconstitutional any clause, sentence, paragraph, subsection, section, or part of this Act, such judgment or decree shall not affect, impair, invalidate, or nullify the remainder of this Act, but the effect thereof shall be confined to the clause, sentence, paragraph, subsection, section, or part of this Act so adjudged to be invalid or unconstitutional.	Sec. 15. If a court of competent jurisdiction shall adjudge to be invalid or unconstitutional any clause, sentence, paragraph, subsection, Section, or part of this Act, such judgment or decree shall not affect, impair, invalidate, or nullify the remainder of this Act, but the effect thereof shall be confined to the clause, sentence, paragraph, subsection, Section, or part of this Act so adjudged to be invalid or unconstitutional.	[None]
Sec. 13. All laws and clauses of laws in conflict with this Act are hereby repealed.	Sec. 16. All laws and clauses of laws in conflict with this Act are hereby repealed.	[None]

Text as Recommended, 1955	Text as Enacted, 1955	Text as Amended, 1959
Sec. 14. This Act shall be in full force and effect from and after its ratification.	Sec. 17. This Act shall be in full force and effect from and after its ratification. In the General Assembly read three times and ratified, this the 23rd day of May, 1955.	[None]